

Notice of Allowability	Application No.	Applicant(s)	
	09/652,097	SHAW ET AL.	
	Examiner	Art Unit	
	Thomas H. Stevens	2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the pre-appeal conference 04/11/2006.
2. ☒ The allowed claim(s) is/are 1-4,6,7 and 9-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|--|---|

DETAILED ACTION

1. Claims 1-4, 6,7, 9-12 were examined.

Allowable Subject Matter

2. Claims 1-4, 6,7, 9-12 were allowed.

Examiner's Amendment

3 An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Livingston (Reg. Num 53,933) on, 5/22/06:

- Claim 1, line 2, the word -- the -- was deleted.
- Claim 2, line 2, after "the", the word -- computer -- was inserted.
- Claim 3, line 3, after "the", the word -- computer -- was inserted.
- Claim 4, line 3, after "the", the word -- computer -- was inserted.

The following is an examiner's statement of reasons for allowance:

While Roesmount teaches (claims 1 and 7) natural frequency; Broman teaches (claim 7) a computer model of bellows and a processor (claim 7); US Patent 4,860,564 teaches stiffness multipliers (claims 1 and 7); and Derwent Week 197746 teaches

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shrouded bellows (claims 1 and 7), none of these references, taken either alone or in combination, with the prior art of record disclose a

(claim 1) "a computer-implemented method for predicting natural frequency responses...providing at least one tube sub-system included a plurality of shrouded bellows components...using a regression technique based on dynamic stiffness test data; imputing the determined stiffness multiplier... that applies a standard geometry element and a flexibility factor based upon the stiffness multiplier to predict a natural frequency response; and determining location for duct support,"

(claim 7) " apparatus for determining natural frequency response...using a regression technique based on dynamic stiffness test data...use the determined stiffness multiplier that applies a standard geometry element and a flexibility factor based upon the stiffness multiplier to predict a natural frequency response; and determining location for duct support,"

, in combination with the remaining elements and features of the claimed invention. It is for these reasons that the applicants' invention defines over the prior art of record.

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Tom Stevens whose telephone number is 571-272-3715, Monday-Friday (8:00 am- 4:30 pm EST).

If attempts to reach the examiner by telephone are unsuccessful, please contact examiner's supervisor Mr. Paul Rodriguez 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.. Answers to questions regarding access to the Private PAIR system, contact the Electronic Business Center (EBC) (toll-free (866-217-9197)).

May 23, 2006


Anthony Knight
Supervisory Patent Examiner
Group 3600

TS